

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

JAMES G. AKERS,

Plaintiff,

v.

**SPECIALIZED LOAN
SERVICING, LLC,**

Defendant.

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No. 3:12-cv-00901

Judge Sharp

Magistrate Judge Knowles

ORDER

Pending before the Court is a Report and Recommendation (“R & R”) of the Magistrate Judge, recommending that Plaintiff’s *Motion for Judgment on the Pleadings* (Docket Entry No. 25) be denied. The R & R provides, in part,

Plaintiff is entitled neither a Default Judgment, nor a Judgment on the Pleadings. This action should be determined on the merits, and the merits will be address [sic] in the undersigned’s analysis of Defendant’s pending Motion to Dismiss. Accordingly, Plaintiff’s Motion for Judgment on the Pleadings (Docket No. 25) should be DENIED.

(Docket Entry No. 35 at 3). Plaintiff filed a timely response in opposition to the R & R. (Docket Entry No. 43).

Having thoroughly reviewed the record in this case and the applicable law in accordance with Rule 72(b), the Court will accept the R & R of the Magistrate Judge.

Accordingly, the Court hereby rules as follows:

(1) The Report and Recommendation (Docket Entry No. 35) is hereby ACCEPTED and APPROVED; and

(2) Plaintiff’s *Motion for Judgment on the Pleadings* (Docket Entry No. 25) is hereby DENIED.

This action is hereby returned to the Magistrate Judge for further pretrial management in accordance with Local Rule 16.01.¹

It is SO ORDERED.

A handwritten signature in black ink that reads "Kevin H. Sharp". The signature is written in a cursive, flowing style. The first name "Kevin" is written in a larger, more prominent script, followed by "H." and "Sharp". The signature is positioned above a horizontal line.

KEVIN H. SHARP
UNITED STATES DISTRICT JUDGE

¹ The Court is aware the Magistrate Judge entered a subsequent R & R on July 3, 2013, addressing *Defendant's Motion to Dismiss* and *Defendant's Motion to Renew its Motion to Dismiss*. See (Docket Entry Nos. 27, 34 and 45). A separate Order will be issued by the Court addressing these motions.